

FILED  
LODGED  
ENTERED  
RECEIVED

JUN 14 2017

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY  
BY

The Honorable Mary Alice Theiler

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHOUKHAO PHOMPRIDA,

Defendant.

NO.

MJ 17-247

COMPLAINT FOR VIOLATION

18 U.S.C. § 922(g)(1)

21 U.S.C. § 841(a)(1) & 841(b)(1)(B)

18 U.S.C. § 924(c)(1)(A)

BEFORE, the Honorable Mary Alice Theiler, United States Magistrate Judge,  
United States Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

**COUNT ONE**

**(Felon in Possession of a Firearm)**

On or about February 15, 2017, in the City of Seattle, within the Western District of  
Washington, the defendant, PHOUKHAO PHOMPRIDA, after having been convicted of  
the following crimes punishable by imprisonment for a term exceeding one year, to wit:

- a. *Manslaughter in the First Degree*, in Pierce County Superior Court,  
Washington, under cause number 94-1-01528-3, dated on or about  
August 31, 1994;

1           b.     *Attempted Robbery in the First Degree*, in Pierce County Superior  
2           Court, Washington, under cause number 94-1-01528-3, dated on or  
3           about August 31, 1994;  
4     did knowingly possess, in and affecting interstate and foreign commerce, the following  
5     firearms, to wit:

- 6           a.     One Glock 27 .40-caliber semi-automatic pistol bearing serial number  
7                   WKV891;  
8           b.     One Sig Sauer P220 .45-caliber semi-automatic pistol bearing serial number  
9                   G524608;  
10          c.     One Smith and Wesson .357 caliber revolver with serial number CZH0003;  
11          d.     One Hungarian-made Feg 7.62x39mm-caliber rifle bearing serial number  
12                C1004310;

13     each of which had been shipped and transported in interstate and foreign commerce.

14           All in violation of Title 18, United States Code, Sections 922(g)(1).

15                               **COUNT TWO**

16                   **(Possession of Cocaine and Heroin with Intent to Distribute)**

17           On or about February 15, 2017, in the City of Seattle, within the Western District of  
18     Washington, PHOUKHAO PHOMPRIDA, did knowingly and intentionally possess, with  
19     intent to distribute, cocaine and heroin, Schedule I controlled substances under Title 21,  
20     United States Code, Section 812.

21           It is further alleged that the offense involved 100 grams or more of a mixture or  
22     substance containing a detectable amount of heroin, and 500 grams or more of a mixture or  
23     substance containing a detectable amount of cocaine, its salts, optical and geometric  
24     isomers, and salts of isomers.

25           All in violation of Title 21, USC, Section 841(a)(1) & 841(b)(1)(B).

26     ///

27     ///

**COUNT THREE**

**(Possession of Firearm in Furtherance of a Drug Trafficking Crime)**

On or about February 15, 2017, in the City of Seattle, within the Western District of Washington, PHOUKHAO PHOMPRIDA, did knowingly and intentionally possess the following firearms, to wit:

- a. One Glock 27 .40-caliber semi-automatic pistol bearing serial number WKV891;
- b. One Sig Sauer P220 .45-caliber semi-automatic pistol bearing serial number G524608;
- c. One Smith and Wesson .357 caliber revolver with serial number CZH0003;
- d. One Hungarian-made FEG 7.62x39mm-caliber rifle bearing serial number C1004310;

in furtherance of a drug trafficking offense for which he may be prosecuted in a Court of the United States, to wit: *Possession of Cocaine and Heroin with Intent to Distribute*, as charged in Count Two, above.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

**The undersigned complainant, Robert Belshay, being duly sworn, further deposes and states as follows:**

**INTRODUCTION**

1. I am a Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I am assigned to the Seattle, Washington, Field Office Gang Group. I have been an ATF Task Force Officer since August 2, 2006. I am responsible for investigating and enforcing violations of federal firearms laws. I am also sworn as a police officer with the Seattle Police Department in Seattle, Washington. I joined the Seattle Police Department (SPD) in April 1998 as a civilian employee assigned to the misdemeanor warrant office. I was hired as a sworn Seattle Police Officer in the

1 summer of 1999, and I graduated from the six-month Seattle/King County Sheriff's Officer  
2 State Accredited Police Academy in February 2000. As a Seattle Police Officer I have  
3 been trained to investigate crime scenes and enforce Washington State criminal law.  
4 During my career I have been assigned to patrol in Seattle's South Precinct, the  
5 Community Police Team in the South and Southwest Precincts, I served on a Drug  
6 Enforcement Administration Mobile Enforcement Team Task Force (DEA MET) in the  
7 Southwest Seattle/White Center neighborhood, and I am currently assigned as a detective  
8 with the Criminal Intelligence Section (CIS) where I track street gang and motorcycle  
9 gangs for the department. I am also assigned to the King County Regional Intelligence  
10 Group (KCRIG) and have served for four years as an ATF Task Force Officer assigned to  
11 the ATF Intelligence Group and recently transferred to the ATF Gang Group and  
12 Northwest Regional Crime Gun Task Force as a Task Force Officer.

13 2. The facts set forth in this Affidavit are based on my own personal  
14 knowledge; information obtained from other individuals during my participation in this  
15 investigation, including other law enforcement officers; review of documents and records  
16 related to this investigation; communications with others who have personal knowledge of  
17 the events and circumstances described herein; and information gained through my training  
18 and experience.

19 3. Because this Affidavit is submitted for the limited purpose of establishing  
20 probable cause in support of a criminal complaint, it does not set forth each and every fact  
21 that I, or others, have learned during the course of this investigation.

#### 22 **SUMMARY OF PROBABLE CAUSE**

23 4. I have reviewed reports relating to an incident that occurred on February 15,  
24 2017. According to reports, at approximately 12:45 p.m., detectives from the SPD  
25 Narcotics Unit, along with agents from Homeland Security Investigations (HSI), executed  
26 a search and seizure warrant at an apartment located at 2922 Western Ave #614, Seattle,  
27

1 Washington, 98121. The search and seizure warrant was issued by King County Superior  
2 Court Judge Beth Andrus on February 9, 2017.

3 5. Phoukhao PHOMPRIDA, the subject residing at the apartment and the target  
4 of the narcotics search warrant, was arrested in the lobby of the apartment complex.  
5 Detectives obtained a key to the apartment from PHOMPRIDA's person.

6 6. Detectives searched the one-bedroom, one-bathroom apartment and  
7 recovered five firearms, hundreds of rounds of ammunition, large amounts of powder  
8 cocaine, heroin, United States currency, scales, cell phones, narcotics packaging supplies,  
9 papers of dominion and control, and a money counter.

10 7. Detective Thomas Hanley searched the kitchen area of the apartment and  
11 located an electric scale from a cabinet above the oven, two Tupperware containers holding  
12 suspected cocaine from a cabinet above the sink, a small bindle of suspected heroin from a  
13 sunglasses case in a kitchen drawer, and a large quantity of suspected heroin in a  
14 Tupperware bin in a cabinet under the counter. Near the Tupperware bin of heroin,  
15 Detective Hanley found a money clip holding currency and PHOMPRIDA's photo  
16 identification.

17 8. Detective Stephen Knapp searched the kitchen area and located a pink wine  
18 bag in the bottom drawer of the oven that contained two quart Ziploc bags of suspected  
19 heroin. Detective Knapp then searched the entry closet and located two jackets that  
20 contained large bundles of \$100.00 bills. Detective Knapp located three additional bundles  
21 of currency. Detective Knapp then began searching the entry way and located a brown  
22 grocery bag that was full of other folded-up brown grocery bags. Tucked between the  
23 folded grocery bags were two large vacuum-sealed bags of cocaine. Under the coffee  
24 table, Detective Knapp located a Sig Sauer pistol box containing a loaded Sig Sauer 220  
25 .45-caliber pistol bearing serial number G524608.

26 9. Detectives Terry Chin and Peter Lazarou searched the bedroom and on the  
27 right side area of the closet located an AK-47 style rifle. On the floor in the closet,

28 COMPLAINT/PHOMPRIDA - 5

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE  
5220  
SEATTLE, WASHINGTON 98101  
(206) 553-7970

1 Detective Chin located a Steve Madden bag that contained a money-counting machine and  
2 a black digital scale. In the bedroom, detectives also located a second AK-47 type rifle, a  
3 Glock 27 semi-automatic handgun bearing serial number WKV891, and a Smith and  
4 Wesson .357-caliber revolver bearing serial number CZH0003. There were numerous  
5 boxes of ammunition inside a nightstand next to the bed.

6 10. In the bedroom, Detective Chin also located numerous pieces of dominion  
7 and control bearing Phoukhao PHOMPRIDA's name, including several expired  
8 Washington State driver's licenses. Detective Chin noted that the closet in the bedroom  
9 contained men's clothing.

10 11. PHOMPRIDA was advised of his *Miranda* rights. He stated that he  
11 understood and wanted to remain silent.

12 12. In total, the detectives seized approximately 1834 grams of cocaine (1.5  
13 kilograms), 967.3 grams of heroin (2.1 pounds), and \$30,000.00 cash. Detective Ed Chan  
14 field tested the suspected cocaine and heroin and both tested presumptive positive. All  
15 evidence was retained by SPD detectives and entered into the SPD Evidence Unit.

16 13. Subject PHOMPRIDA was booked into the King County Jail for *Unlawful*  
17 *Possession of a Firearm*.

18 14. ATF Agent David Cline has analyzed photographs of the firearm and the  
19 ammunition recovered, but did not physically inspect them. Based on his knowledge and  
20 experience as a certified Interstate Nexus Expert, Agent Cline determined that the  
21 following firearms: a Glock 27 .40-caliber semi-automatic pistol bearing serial number  
22 WKV891, a Sig Sauer P220 .45-caliber semi-automatic pistol bearing serial number  
23 G524608, a Smith and Wesson .357-caliber revolver bearing serial number CZH0003, and  
24 a Hungarian-made FEG 7.62 x 39mm-caliber rifle bearing serial number C1004310, were  
25 not manufactured in the State of Washington.

1        15.    Agent Cline advised that, due to the lack of identifying markings, he could  
2 not confirm at this time that the AK-type rifle bearing serial #GI6220 was made outside the  
3 State of Washington without performing a more in-depth investigation.

4        16.    I have checked PHOMPRIDA's criminal history and confirmed that he has  
5 been convicted of the following crimes:

- 6        a.    *Manslaughter in the First Degree*, in Pierce County Superior Court,  
7              Washington, under cause number 94-1-01528-3, dated on or about  
8              August 31, 1994;
- 9        b.    *Attempted Robbery in the First Degree*, in Pierce County Superior  
10             Court, Washington, under cause number 94-1-01528-3, dated on or  
11             about August 31, 1994.

12 Each of these is a felony offense under Washington law, punishable by a term of  
13 imprisonment exceeding one year.

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

**CONCLUSION**

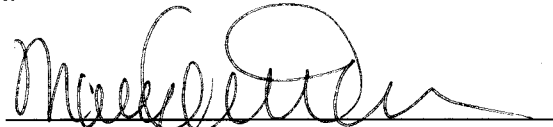
17. Based on the foregoing, I respectfully submit that there is probable cause to believe that PHOMPRIDA committed the crimes of *Felon in Possession of a Firearm*, in violation of Title 18, United States Code, Section 922(g)(1), *Possession of Cocaine and Heroin with Intent to Distribute*, in violation of Title 21, United States Code, Sections 841(a)(1) & 841(b)(1)(B), and *Possession of a Firearm in Furtherance of a Drug Trafficking Crime*, in violation of Title 18, United States Code, Section 924(c)(1)(A).



ROBERT BELSHAY, Complainant,  
Task Force Officer, ATF

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the Defendant committed the offense set forth in the Complaint.

Dated this 14<sup>th</sup> day of June, 2017.



HONORABLE MARY ALICE THEILER  
United States Magistrate Judge